

UNITED STATES DISTRICT COURT

for the
Northern District of Oklahoma

FILED

OCT 09 2019

Mark C. McCartt, Clerk
U.S. DISTRICT COURTIn the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)United States Postal Service Priority Mail Express parcel
originating in Hesperia, California, identified by tracking
number EM 031217356 US

Case No. 19-mj-207-FHM

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See Attachment A

located in the Northern District of Oklahoma, there is now concealed (identify the person or describe the property to be seized):

See Attachment B

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☐ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section
21 U.S.C. § 841(a)(1)Offense Description
Possession of a Controlled Substance with Intent to DistributeThe application is based on these facts:
See Affidavit of Tracy Jones

- ☒ Continued on the attached sheet.
- ☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.



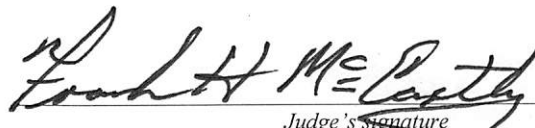
Applicant's signature

Tracy Jones, United States Postal Inspector

Printed name and title

Sworn to before me and signed in my presence.

Date: 10-9-19



Judge's signature

City and state: Tulsa, Oklahoma

FRANK H. MCCARTHY, U.S. MAGISTRATE JUDGE

Printed name and title

ATTACHMENT "A"

SUBJECT PARCEL: a sealed USPS Priority Mail Express parcel measuring approximately 12" x 12" x 8", identified by tracking number **EM 031217356 US** from Zip Code 92345, weighing approximately 6 pounds – 11.5 ounces and postmarked October 8, 2019. The parcel's return address is Neal Soung (Nail and Spa), 17130 Main Street, Unit B, Hesperia, CA 92345, and is addressed to Michael Weathers, 1534 E 71st Place, Apt #1103, Tulsa, OK 74136

ATTACHMENT "B"

Any controlled substances and evidence constituting ownership and intent to possess controlled substances and possess controlled substances with intent to distribute under Title 21, United States Code, Section 841.

AFFIDAVIT AND STATEMENT OF PROBABLE CAUSE

I, Tracy Jones, being duly sworn, do hereby depose and state:

1. Your Affiant is Tracy Jones a duly qualified Inspector for the United States Postal Inspection Service (USPIS) who has over 17 years of investigative experience having been so employed by the USPIS since November of 2018. Prior to becoming an Inspector for the USPIS, your affiant was a Special Agent with the Defense Criminal Investigative Service for 1 ½ years, a Special Agent with the United States Postal Service – Office of the Inspector General for 3 years, and a Special Agent with the United States Secret Service for 12 years. Your affiant has received specialized training in the use of the U.S. Mails in narcotics investigations through the USPIS.

2. The information set forth in this Affidavit is known to me by other law enforcement personnel or through my own investigation.

3. This Affidavit is based upon the Affiant's personal investigation and upon information received from other law enforcement officers and agents and may not be inclusive of all evidence or information available, or of all facts known to me relative to this investigation. Rather, I have included facts which are necessary to establish probable cause that the parcel described herein contains controlled substances. This affidavit is made in support of an application for a search warrant to search and seize contraband, fruits, instrumentalities and evidence of crimes against the United States in violation of 21 U.S.C. § 841(a)(1) from a USPS Priority Mail Express parcel originating in the city of Hesperia, CA. It is more specifically

described as a sealed USPS Priority Mail Express parcel measuring approximately 12" x 12" x 8", identified by tracking number **EM 031217356 US** (herein referred to as "**Subject parcel**"), from Zip Code 92345, weighing approximately 6 pounds – 11.5 ounces and postmarked October 8, 2019. The parcel's return address is Neal Soung (Nail and Spa), 17130 Main Street, Unit B, Hesperia, CA 92345, and is addressed to Michael Weathers, 1534 E 71st Place, Apt #1103, Tulsa, OK 74136, and is currently in the possession of your affiant.

4. I am aware through training and experience, as well as information from other Postal Inspectors with extensive experience in drug trafficking investigations the United States Mail is a common and preferred method for drug traffickers to ship their product. United States Express Mail and Priority Mail are frequently used by drug dealers for not only shipping illegal drugs, but also for shipping the proceeds and money from illegal drug sales and purchases. Use of the United States Mail is favored because of the speed, reliability, and low cost of this service, as well as the perceived minimal chance of detection of illegal drugs, money, or financial instruments shipped in such a manner.

5. I am also aware that drug traffickers often use fictitious return addresses and names on return addresses, as well as real names and real addresses, with or without the actual person's knowledge or consent, to avoid detection in the event the parcel is intercepted by law enforcement officers. Parcels containing controlled substances often provide minimal information on the mailing label to avoid detection of a fictitious name or return address. Traffickers normally use heavy tape on the seams and corners of a parcel and have been known to use sealed containers and masking scents, to interfere with any drug detection canine's ability to detect the narcotics. It is common for traffickers to mail parcels from a different post office

than the one located in the Zip Code area used on the return address, also to avoid detection of fictitious information.

6. During August 2019, USPIS Inspector B. Hess received information from an employee at the Robert Jenkins Post Office regarding suspicious activity surrounding a customer's Priority Mail Express parcels. Inspector Hess provided the following details. The employee indicated a customer was known to frequently receive Priority Mail Express parcels multiple times per month. The employee further explained the customer would regularly arrive at the post office the morning of the scheduled delivery days to claim the parcels prior to them being delivered to his residence. The employee said the customer would occasionally arrive prior to the parcels being processed; and therefore, would wait at the post office until the parcels were available to claim. The employee provided a copy of two Priority Mail Express parcel label images (Priority Mail Express parcels EK 484311836 US and EK 484311819 US). Both parcels listed the sender as Neal Soung. One parcel listed the return address as 15747 Main Street, Hesperia, California 92345, while the second parcel listed the return address as 17275 Main Street, Hesperia, California 92345. Both parcels were addressed to Michael Weathers at 1534 E. 71st Place Apt. #1103, Tulsa, Oklahoma 74136. The parcels were not intercepted and remained within the mail stream.

7. Inspector Hess stated he began investigating the listed recipient and the activity surrounding the parcels. Inspector Hess advised he began monitoring the destination address for additional related parcel deliveries. Inspector Hess stated he had observed additional parcels of similar characteristics destined to the residence throughout the month of September which originated in Hesperia, California.

8. On October 8, 2019, I was contacted by Inspector Hess and advised he had conducted a review of USPS business records. Inspector Hess stated the **Subject parcel** was in the mail stream destined to 1534 E 71st Place Apt. 1103, Tulsa, Oklahoma 74136. The parcel was scheduled for normal delivery on October 9, 2019, by 10:30 AM. The parcel was sent from Hesperia, California and appeared consistent in characteristics with previously sent parcels.

9. On October 9, 2019, I responded to the Tulsa Processing and Distribution Center and located the **Subject parcel**. The parcel had handwritten address information and was mailed from a Zip Code in Hesperia, CA. The packaging of the parcel consisted of a white/red USPS cardboard box with clear USPS Priority Mail Express tape applied over the majority of the parcel.

10. I conducted computer database address verifications on the parcel, and the database indicated the return address of "17130 Main St Unit B, Hesperia, CA 92345," as listed on the parcel, is a valid return address according to the U.S. Postal Service website. An internet search identified "Fancy Nails Salon" as being located at 17130 Main St. B, Hesperia, CA 92345. Utilizing the CLEAR law enforcement database which searches public and proprietary records, the listed sender, Neal Soung, was not able to be associated with that address.

11. I also checked databases for records of the delivery address on the parcel. The databases indicated the delivery address of "1534 E 71 Place Apt #1103, Tulsa, OK 74136, as listed on the parcel, does exist. Utilizing the CLEAR law enforcement database, the addressee name, Michael Weathers, was associated with the address. A previous check of Weathers'

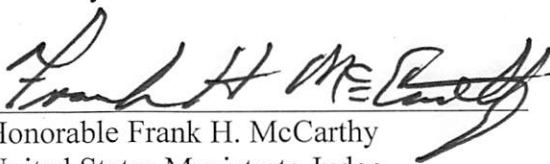
criminal history revealed multiple prior arrests including convictions for possession of a controlled substance for sale, first degree burglary, and felon/etc. in possession of a firearm.

12. On October 9, 2019, your affiant contacted TPD Narcotics Detective David Wamsley and his narcotics K-9, "Loki." Detective Wamsley placed five empty boxes and **Subject parcel** on the workroom floor in the USPS Downtown Station, 333 West 4th Street, Tulsa, OK 74101. Detective Wamsley ran Loki over the boxes and advised your affiant that Loki alerted on **Subject parcel**. Detective Wamsley advised that he has been a certified dog handler for the TPD since October of 2000. Detective Wamsley advised that Loki is certified through the State of Oklahoma in the detection of narcotics odors, including marijuana, cocaine, heroin, and methamphetamine. Detective Wamsley advised that based on Loki's alert, he believes that the **Subject parcel** contains illegal drugs, in violation of federal law.

13. Based on the foregoing, I believe there is evidence to show the parcel as described in paragraph three, was sent via the USPS in violation of 21 U.S.C. § 841(a)(1) and respectfully request a warrant be issued authorizing the USPIS to search and seize the mailing package as well as any controlled substances or items of dominion or control inside the package.


Tracy Jones
Inspector
United States Postal Inspection Service

Sworn and subscribed to before me this 9th day of October 2019.


Honorable Frank H. McCarthy
United States Magistrate Judge
Northern District of Oklahoma